

PATENT APPLICATION SERIAL NO. \_\_\_\_\_

U.S. DEPARTMENT OF COMMERCE  
PATENT AND TRADEMARK OFFICE  
FEE RECORD SHEET

Adjustment date: 02/16/2005 MNGUYEN  
02/04/2005 EABUBAK1 00000047 10718995  
02 FC:1051 -130.00 OP

02/16/2005 MNGUYEN 00000011 195425 10718995  
01 FC:2051 65.00 OP  
02 FC:2001 330.00 DA 65.00 OP  
03 FC:2202 250.00 DA  
04 FC:2201 100.00 DA

Adjustment date: 01/31/2006 EEKUBAY1  
02/16/2005 MNGUYEN 00000011 195425 10718995  
01 FC:2051 -65.00 OP  
02 FC:2001 330.00 CR -65.00 OP  
03 FC:2202 250.00 CR  
04 FC:2201 100.00 CR

01/31/2006 EEKUBAY1 00000003 10718995  
01 FC:8025 130.00 OP

PTO-1556

(5 87)

U.S. PATENT AND TRADEMARK OFFICE

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IN THE UNITED STATES  
PATENT AND TRADEMARK OFFICE  
OFFICE

|                 |                                                                            |   |                     |               |
|-----------------|----------------------------------------------------------------------------|---|---------------------|---------------|
| Applicant:      | S. Horniak et al.                                                          | : | Examiner:           | N/A           |
| Application No: | 10/718,996                                                                 | : | Group Art Unit:     | 3713          |
| Filing Date:    | November 21, 2003                                                          | : | Confirmation No.:   | 9084          |
| Title:          | SYSTEM AND METHOD FOR<br>PROVIDING INCENTIVE TO<br>USER OF A GAMING DEVICE | : | Attorney Docket No. | P23,016-C USA |

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to : Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450, Attn: Refund Division Accounting - Office of Finance, on Monday, June 20, 2005.

*Barbara G. Makariou*  
Barbara G. Makariou

Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

Attn: Refund Division  
Accounting - Office of Finance

REQUEST FOR REFUND

Sir:

The PTO is believed to have improperly charged Deposit Account No. 19-5425 in the amounts of \$330.00, \$250.00 and \$100.00, for the filing fees, fees for claims in excess of 20, and fees for independent claims in excess of 3, for a total of \$680.00 in the above-identified application. The fees were charged on February 18, 2005. Applicants did not authorize payment of these filing fees.

As noted in the Statement of Record (copy enclosed) mailed to the PTO in this application on January 18, 2005, applicants requested a two-month extension of

Applicant: S. Horniak, et al  
Application No.: 10/718,995

Attorney Docket No. P23,016-C USA  
June 20, 2005  
Page 2


time (\$225.00) along with the processing and retention fee (\$130.00) pursuant to 37 CFR 1.21(1), as required by 37 CFR 1.78(a)1(iv). Applicants filed the extension fee and retention fee to be able to file a continuation application that claimed priority to this application, which continuation application was assigned application serial number 11/037,379. It is the understanding of the undersigned that filing fees totaling \$680.00 were not necessary, and that the extension and retention fees pursuant to 37 CFR 1.21(e) were all that is necessary for filing the continuation application.

Accordingly, as the charges totaling \$680 should not have been made, please credit Deposit Account No. 19-5425 in the amount of \$680.00 for the filing fee.

Please contact the undersigned if any questions remain.

Respectfully submitted

Dated: June 20, 2005

  
Gary A. Hecht/ Reg. No. 36,826  
Synnestvedt & Lechner LLP  
2600 Aramark Tower  
1101 Market Street  
Philadelphia, PA 19107-2950  
(215) 923-4466  
(215) 923-2189

GAH:bgm  
Enclosure

M:\GHECHT\DELTRONIC LABS\23016-C\REFUND REQUEST.DOC

Attorney Docket No. P-23,016-C

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

2005 DEC 28 15:11 FAX

US PATENT & TRADEMARK  
OFFICE

In re application of: S. Horniak et al.

Group Art Unit: 3713

Application No.: 10/718,995

Examiner: N/A

Filing Date: November 21, 2003

Confirmation No.: 9084

For: SYSTEM AND METHOD FOR  
PROVIDING INCENTIVE TO USER  
OF A GAMING DEVICE

Customer No.: 23307

Attorney Docket No.:  
P230126-C USA

## Certificate of Mailing

I hereby certify that this correspondence, along with any papers indicated as being enclosed, are being deposited as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on Tuesday, January 18, 2005 January 18, 2005.

  
Patricia M. Frisoli

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Statement Of Record

Applicants petition herewith for a two-month extension of time pursuant to 37 CFR 1.136(a) to permit the filing of a continuing application while the present application is still pending. Further, applicants are paying the processing and retention fee of 37 CFR 1.21(l), as required by 37 CFR 1.78(a)(1)(iv).

Should the Patent Office have any questions or comments concerning this submission, the Office is invited to telephone applicants undersigned representative.

-1-

Initial 1/18/05

COPY

Attorney Docket No. P-23,016-C

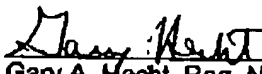
2005 DEC 28 PM 3:42

This filing should in no way be construed as intent on the applicant's part to  
unduly delay the prosecution of the application.

US PATENT & TRADEMARK  
OFFICE

Respectfully submitted;

January 18, 2005  
Date

  
Gary A. Hecht, Reg. No. 36,826  
SYNNESTVEDT & LECHNER LLP  
2600 Aramark Tower  
1101 Market Street  
Philadelphia, PA 19107-2950  
Tele: (215) 923-4466  
Fax: (215) 923-2189

GAH:pmf

MAHECHTIDELTRONIC LABSIP230160VRECORD.DOC

PTO/SB/23 (12-04)

Approved for use through 07/31/2005, OMB 0851-0031

U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

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|                                                                                                                                                    |  |                                          |  |
|----------------------------------------------------------------------------------------------------------------------------------------------------|--|------------------------------------------|--|
| <b>PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.136(a)</b><br>FY 2005<br>(Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4610)) |  | Docket Number (Optional)<br>P-23016C USA |  |
| Application Number 10/718,995                                                                                                                      |  | Filed 11/21/2003                         |  |
| For <b>SYSTEM AND METHOD FOR PROVIDING INCENTIVE TO USER OF A GAMING DEVICE</b>                                                                    |  |                                          |  |
| Art Unit 3713                                                                                                                                      |  | Examiner N/A                             |  |

This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a reply in the above identified application.

The requested extension and fee are as follows (check time period desired and enter the appropriate fee below):

|                                                                    | Fee    | Small Entity Fee |                  |
|--------------------------------------------------------------------|--------|------------------|------------------|
| <input type="checkbox"/> One month (37 CFR 1.17(a)(1))             | \$120  | \$80             | \$ _____         |
| <input checked="" type="checkbox"/> Two months (37 CFR 1.17(a)(2)) | \$450  | \$225            | \$ <u>225.00</u> |
| <input type="checkbox"/> Three months (37 CFR 1.17(a)(3))          | \$1020 | \$510            | \$ _____         |
| <input type="checkbox"/> Four months (37 CFR 1.17(a)(4))           | \$1590 | \$795            | \$ _____         |
| <input type="checkbox"/> Five months (37 CFR 1.17(a)(5))           | \$2160 | \$1080           | \$ _____         |

☒ Applicant claims small entity status. See 37 CFR 1.27.

☐ A check in the amount of the fee is enclosed.

☒ Payment by credit card. Form PTO-2038 is attached.

☐ The Director has already been authorized to charge fees in this application to a Deposit Account.

☒ The Director is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account Number 19-5425. I have enclosed a duplicate copy of this sheet.

**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

I am the ☐ applicant/inventor.

☐ assignee of record of the entire interest. See 37 CFR 3.71.  
Statement under 37 CFR 3.73(b) is enclosed (Form PTO/SB/96).

☒ attorney or agent of record. Registration Number 36,826

☐ attorney or agent under 37 CFR 1.34.  
Registration number if acting under 37 CFR 1.34 \_\_\_\_\_

GARY A. HECHT Signature

January 18, 2005 Date

GARY A. HECHT Typed or printed name

215-923-4466 Telephone Number

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

☐ Total of \_\_\_\_\_ forms are submitted.

This collection of information is required by 37 CFR 1.136(a). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 8 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1460, Alexandria, VA 22313-1460.

If you need assistance in completing the form, call 1-800-PTO-6188 and select option 2.

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PTO/SB/17 (12-04v2)

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U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

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|                                                                                                                                                     |      |                                                                                                                                                                                         |  |
|-----------------------------------------------------------------------------------------------------------------------------------------------------|------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|
| Effective on 12/08/2004.<br>Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).<br><b>FEE TRANSMITTAL</b><br><b>For FY 2005</b> |      | Complete if Known<br>Application Number 10/718,995<br>Filing Date 11/21/2003<br>First Named Inventor S. Horhiak<br>Examiner Name N/A<br>Art Unit 3713<br>Attorney Docket No. 23018C USA |  |
| <input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27                                                           |      |                                                                                                                                                                                         |  |
| TOTAL AMOUNT OF PAYMENT                                                                                                                             | (\$) | 130.00                                                                                                                                                                                  |  |

**METHOD OF PAYMENT** (check all that apply)

☐ Check ☒ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): \_\_\_\_\_

☐ Deposit Account Deposit Account Number: 19-5425 Deposit Account Name: Synnestvedt & Lechner LLP  
 For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee  
☒ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 ☐ Credit any overpayments

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-203a.

**FEE CALCULATION**

**1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

| Application Type | FILING FEES |                       | SEARCH FEES |                       | EXAMINATION FEES |                       | Fees Paid (\$) |
|------------------|-------------|-----------------------|-------------|-----------------------|------------------|-----------------------|----------------|
|                  | Fee (\$)    | Small Entity Fee (\$) | Fee (\$)    | Small Entity Fee (\$) | Fee (\$)         | Small Entity Fee (\$) |                |
| Utility          | 300         | 150                   | 500         | 250                   | 200              | 100                   |                |
| Design           | 200         | 100                   | 100         | 50                    | 130              | 65                    |                |
| Plant            | 200         | 100                   | 300         | 150                   | 160              | 80                    |                |
| Reissue          | 300         | 150                   | 500         | 250                   | 600              | 300                   |                |
| Provisional      | 200         | 100                   | 0           | 0                     | 0                | 0                     |                |

**2. EXCESS CLAIM FEES**

| Fee Description                                    | Fee (\$) | Small Entity Fee (\$) |
|----------------------------------------------------|----------|-----------------------|
| Each claim over 20 (including Reissues)            | 50       | 25                    |
| Each independent claim over 3 (including Reissues) | 200      | 100                   |
| Multiple dependent claims                          | 360      | 180                   |

Total Claims: \_\_\_\_\_ Extra Claims: \_\_\_\_\_ Fee (\$): \_\_\_\_\_ Fee Paid (\$): \_\_\_\_\_  
 HP = Highest number of total claims paid for, if greater than 20.

Indep. Claims: \_\_\_\_\_ Extra Claims: \_\_\_\_\_ Fee (\$): \_\_\_\_\_ Fee Paid (\$): \_\_\_\_\_  
 HP = Highest number of independent claims paid for, if greater than 3.

**3. APPLICATION SIZE FEE**

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(a).

| Total Sheets | Extra Sheets | Number of each additional 50 or fraction thereof | Fee (\$) | Fee Paid (\$) |
|--------------|--------------|--------------------------------------------------|----------|---------------|
| _____        | _____        | _____                                            | _____    | _____         |

**4. OTHER FEE(S)**

Non-English Specification, \$130 fee (no small entity discount) Fee Paid (\$): \_\_\_\_\_

Other (e.g., late filing surcharge): 37 CFR 1.21 (f) \_\_\_\_\_

130.00

**SUBMITTED BY**

|                                 |                         |                        |
|---------------------------------|-------------------------|------------------------|
| Signature                       | Registration No. 36,828 | Telephone 215-923-4488 |
| Name (Print/Type) Gary A. Hochl | (Attorney/Agent)        | Date 01/18/2005        |

This collection of information is required by 37 CFR 1.130. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing the burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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 United States Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

# United States Patent and Trademark Office

## Credit Card Payment Form

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7035 PTO OFFICE

US PATENT & TRADEMARK  
OFFICE

### Credit Card Information

Credit Card Type: ☐ Visa ☐ MasterCard ☒ American Express ☐ Discover

Credit Card Account #: 3782 950358 31114

Credit Card Expiration Date: 07/06

Name as it Appears on Credit Card: GARY A HECHT

Payment Amount: \$(US Dollars): 355.00

Cardholder Signature: *Gary Hecht* Date: January 18, 2005

Refund Policy: The Office may refund a fee paid by mistake or in excess of that required. A change of purpose after the payment of a fee will not entitle a party to a refund of such fee. The Office will not refund amounts of \$25.00 dollars or less unless a refund is specifically requested, and will not notify the payor of such amounts (37CFR § 1.26). Refund of a fee paid by credit card will be issued as a credit to the credit card account to which the fee was charged.  
 Service Charge: There is a \$50.00 service charge for processing each payment refused (including a check returned "unpaid") or charged back by a financial institution (37 CFR § 1.21 (m)).

### Credit Card Billing Address

Street Address 1: 1101 Market Street

Street Address 2: STE 2600

City: Philadelphia

State/Province: PA

Zip/Postal Code: 19107

Country: USA

Daytime phone #: 215-923-4466

Fax #: 215-923-2189

### Request and Payment Information

Description of Request and Payment Information:  
 2-Month Extension of time Request (\$225.00) and Retention Fee (\$130.00)

|                                                |                                                 |                                        |                                    |
|------------------------------------------------|-------------------------------------------------|----------------------------------------|------------------------------------|
| <input checked="" type="checkbox"/> Patent Fee | <input type="checkbox"/> Patent Maintenance Fee | <input type="checkbox"/> Trademark Fee | <input type="checkbox"/> Other Fee |
| Application No.<br>10/718,995                  | Application No.                                 | Application No.                        | IDON Customer No.                  |
| Patent No.                                     | Patent No.                                      | Registration No.                       |                                    |
| Attorney Docket No.<br>P-23016C USA            |                                                 | Ideally or Describe Mark               |                                    |

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003/009

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IN THE UNITED STATES  
PATENT AND TRADEMARK OFFICE

Applicant: S. Horniak et al.

Application No: 10/718,996

Filing Date: November 21, 2003

Title: SYSTEM AND METHOD FOR  
PROVIDING INCENTIVE TO  
USER OF A GAMING DEVICE

Examiner: N/A

Group Art Unit: 3713

Confirmation No.: 9084

Attorney Docket No. P23,016-C USA

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450, Attn: Refund Division Accounting - Office of Finance, on Monday, June 20, 2005.

*Barbara G. Makariou*  
Barbara G. Makariou

Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

Attn: Refund Division  
Accounting - Office of Finance

REQUEST FOR REFUND

Sir:

The PTO is believed to have improperly charged Deposit Account No. 19-5425 in the amounts of \$330.00, \$250.00 and \$100.00, for the filing fees, fees for claims in excess of 20, and fees for independent claims in excess of 3, for a total of \$680.00 in the above-identified application. The fees were charged on February 18, 2005. Applicants did not authorize payment of these filing fees.

As noted in the Statement of Record (copy enclosed) mailed to the PTO in this application on January 18, 2005, applicants requested a two-month extension of

Applicant: S. Horniak, et al  
Application No.: 10/718,995


Attorney Docket No. P23,016-C USA  
June 20, 2005  
Page 2

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Accordingly, as the charges totaling \$680 should not have been made, please credit Deposit Account No. 19-5425 in the amount of \$680.00 for the filing fee. Please contact the undersigned if any questions remain.

Respectfully submitted

Dated: June 20, 2005

  
Gary A. Hecht / Reg. No. 36,826  
Synnestvedt & Lechner LLP  
2600 Aramark Tower  
1101 Market Street  
Philadelphia, PA 19107-2950  
(215) 923-4466  
(215) 923-2189

GAH:bgm  
Enclosure

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**FACSIMILE COVER SHEET**

**LAW OFFICES OF  
SYNNESTVEDT & LECHNER LLP**

2600 Aramark Tower  
1101 Market Street  
Philadelphia, PA 19107-2950  
Telephone: (215) 923-4466  
Facsimile: (215) 923-2189

7015 DEC 20 PM 3:49

US PATENT & TRADEMARK  
OFFICE

**PLEASE DELIVER THE FACSIMILE TRANSMITTED HERewith TO:**

Name: U.S. Patent and Trademark Office  
**Attention: Refund Branch, Brenda**

From: Gary A. Hecht, Reg. No. 36,826

Re: U.S. Patent Application No. 10/718,995, Request for Refund

S&L File No: P23,016-C USA

A total of 2 pages, including this cover sheet, will be transmitted.

Name of Operator: Rita C. Clancy

Date Sent: December 28, 2005

Facsimile number of recipient: 1-571-273-6500

**Dear Brenda:**

Please find attached a copy of the Request for Refund which was originally filed with the USPTO on June 20, 2005.

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TELEPHONE IMMEDIATELY. TO DO SO, YOU MAY CALL US COLLECT.**

Inventor / TM. Appl. S. Horniak et al.  
 Client Deltronc Labs

Appl. No. 10/718,995 Filing Date 11/21/2003  
 Doccl. No. P23,016C USA Atty. GAH/bgm

## The Patent / Trademark Office is in receipt of the following:

- ☐ Affidavit/Declaration, 37 CFR \_\_\_\_\_  
☐ Amendment, 37 CFR \_\_\_\_\_  
☐ Amendment to allege use  
☐ Appeal notice/appeal brief  
☐ Appointment of domestic representative  
☐ Assignment & cover sheet  
☐ Cert. of correction request  
☐ Cert. of Exp. Mailing, Date \_\_\_\_\_  
 No. \_\_\_\_\_

☒ Cert. of mailing, Dated 6-20-2005

- ☐ Charge deposit account, in duplicate  
☐ Check \$ \_\_\_\_\_ for \_\_\_\_\_  
☐ Demand for PCT examination  
☐ Extension of time petition \_\_\_\_\_ months  
☐ Extension of time to file Statement of Use  
☐ IDS (Information disclosure statement)  
 PTO Form 1448: # of pages enc. \_\_\_\_\_  
 # of references enc. \_\_\_\_\_

- ☐ Issue fee transmittal & advance order  
☐ Letter \_\_\_\_\_  
☐ Maintenance fee transmittal  
☐ Opposition notice (in duplicate)  
☐ Patent Application

\_\_\_\_\_ # of pages \_\_\_\_\_ # of pages of claims  
 \_\_\_\_\_ # of sheets of drawings  
 Declaration/Oath: \_\_\_\_\_ signed \_\_\_\_\_ unsigned  
 Transmittal letter

Title of Invention / Mark System & Method for Gaming Device

- ☐ PCT Application, transmittal, request & fee sheet  
☐ Petition under 37 CFR \_\_\_\_\_  
☐ Petition for cancellation  
☐ Power of attorney  
☐ Priority claim  
☐ Renewal application  
☐ Reply, 37 CFR \_\_\_\_\_  
☐ Request for extension of time to file opposition notice (in triplicate)  
☐ Section 8/Section 15 Affidavit/Declaration  
☐ Specimens \_\_\_\_\_  
☐ Statement of use  
☐ Trademark/Service Mark Application  
 \_\_\_\_\_ Declaration  
 \_\_\_\_\_ Power of attorney  
 \_\_\_\_\_ Drawing

- ☐ Verified statement/Small entity  
☐ Withdrawal  
☒ Other Request for Refund

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6-20-05 P23,016C USA  
 Date Sent File No. + Geo Code Seq. No.  
Request for Refund  
 Document Sent

Due Date Yes \_\_\_\_\_ No X  
 Response to Final Rejection?

GAH/bgm  
 Atty.

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